

JUDGE'S COPY

Ronald Tucker 39032-053
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April 16, 2002

FILED
HARRISBURG, PA

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Clerk of the Court for the
Middle District of Pennsylvania
United States Courthouse
228 Walnut Street
Harrisburg, Pa 17108

In Re: 1:00-CV-01780 ^{MARY E. D'ANDREA, CLERK}
Tucker v. Zenk, et al ^{per}
(Judge Yvette Kane) ^{Deputy Clerk}

Dear Clerk,

I am the petitioner in the above captioned case. My petition is based, inter alia, on the removal of over thirteen hundred (1300) days of jail credit by the Bureau of Prisons nearly three years after the imposition of my sentence.

It has been over a year since I have been waiting on the decision from this court. I would like to know the status of my case, as my case specifically deals with due process and liberty interest.

It should be noted that in the "Respondent's Response", the Respondent stated that I had not exhausted my administrative remedies with regards to my due process argument; furthermore the Respondent stated on Page 11 of the R.R. that "If Tucker comes forward with any evidence to show that he would have been paroled, Tucker should present that evidence to the B.O.P. so that it can be considered."

I have amply demonstrated to the B.O.P., that had I not been taken from state custody via writ, two months prior to my initial state parole hearing, and held in federal custody indefinitely, I would have been eligible for release on parole from my state sentence as early as May 17, 1992.

I have made a further attempt to bring this to the attention to the Bureau of Prisons by once again exhausting my administrative remedies, whereby the B.O.P. has granted another inmate, who was in a similar situation as myself, credit toward his federal

sentence for time spent in service of his state sentence while he was on a federal writ of habeas corpus ad prosequendum.

The Bureau of Prisons have once again denied my request for the credit I am seeking, stating "This issue was previously addressed in Central Office Administrative Appeal Nos. 153406-A1 and 245947-A1, and we find no need to elaborate on this issue any further. Your appeal is closed as repetitive."

Ergo, The B.O.P. has "closed as repetitive" the issues which they claimed I did not exhaust in their response to my petition. This most recent request for a remedy, which commenced on September 24, 2001 and was completed on March 28, 2002 can be submitted to the court upon request.

I thank you for any assistance you may afford me.

Sincerely,
Ronald Tucker

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